

HONORABLE TIFFANY M. CARTWRIGHT

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

JUSTIN FRANKS,

**Plaintiff,**

V.

THE NIELSEN COMPANY (US), LLC;  
GRACENOTE, INC.; JOHN DOES 1-10,

### Defendants.

No. 3:23-cv-06150-TMC

**DECLARATION OF CARDELLE SPANGLER IN SUPPORT OF MOTION TO COMPEL ARBITRATION, OR IN THE ALTERNATIVE, MOTION TO DISMISS**

**NOTE ON MOTION CALENDAR:  
MAY 31, 2024**

I, Cardelle Spangler, being duly sworn upon oath, hereby make this declaration in support of Defendants The Nielsen Company (US), LLC and Gracenote, Inc.'s Notice of Motion and Motion to Compel Arbitration, or in the Alternative, Motion to Dismiss, filed on May 3, 2024, and state as follows:

1. I am a lawyer and partner of the law firm Winston & Strawn LLP. I am one of the attorneys of record for the defendants The Nielsen Company (US), LLC and Gracenote, Inc. (“Defendants”) in the above-captioned matter.

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**CORR CRONIN LLP**  
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2. As a result of my experience and responsibilities in this litigation, I have personal knowledge of the facts stated in this declaration, and, if called upon as a witness, could and would testify to their truth and accuracy. I am over 21 years old, and I make this declaration of my own free will and of sound mind and body. I am a citizen of the State of Illinois. I have personal knowledge of the following facts.

3. On April 15, 2024, my office emailed Plaintiff's counsel, Linda Friedman, Willa Fuqua, and Jordan Taren, a copy of Plaintiff's Arbitration Agreement with Defendants, and asked if Plaintiff would agree to dismiss his case in this Court and make a demand for arbitration.

4. Plaintiff's counsel did not respond.

I declare under the penalty of perjury under the laws of California and the United States that the forgoing is true and correct, and that this declaration was executed on May 3, 2024 in Chicago, Illinois.

/s/ Cardelle Spangler  
Cardelle Spangler